

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**PAO HUE YENG XIONG**

**PLAINTIFF**

**V.**

**CAUSE NO. 3:20-CV-109-CWR-FKB**

**DAVID PAUL**

**DEFENDANT**

**ORDER**

This matter is before the Court on submission of the Report and Recommendation entered by United States Magistrate Judge F. Keith Ball on August 6, 2021. Docket No. 17. Judge Ball recommends dismissing Pao Hue Yeng Xiong's habeas action as moot because Xiong was released from custody on December 31, 2020. Docket No. 17. Xiong has not filed an objection to the Report and Recommendation, and the time for filing an objection has expired.

"When a party fails timely to file written objections to the magistrate judge's proposed findings, conclusions, and recommendation, that party is barred from attacking on appeal the unobjected-to proposed findings and conclusions which the district court accepted, except for plain error." *Casas v. Aduddell*, 404 F. App'x 879, 881 (5th Cir. 2010) (citation omitted). Having considered Judge Ball's Report and Recommendation, the Court finds that it is neither clearly erroneous nor contrary to law and adopts the report as the findings and conclusions of the Court.

Accordingly, Pao Hue Yeng Xiong's Petition for Writ of Habeas Corpus [Docket No. 1] is dismissed as moot.

**SO ORDERED**, this the 23rd day of August, 2021.

s/ Carlton W. Reeves  
UNITED STATES DISTRICT JUDGE